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Date: June 18, 2002


Chase A. Karsman

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Stephen B. Auger

Serial No. 08/865,419

Filed: May 28, 1997

For: MINERAL STAINS FOR WOOD AND OTHER SUBSTRATES

BY FACSIMILE

Art Unit: 1751

Supervisory Primary

Examiner Huff

STATUS REQUEST

To the Director of the Patent and Trademark Office

Sir:

Status of the Petition filed May 7, 2002 and withdrawal of abandonment are requested.

The issue is simple, compact and non-complex:

1. Does Rule 1.192(c)(7) mean, as stated, that if claims in a group are not explained as separately patentable following the guidelines of 1.192(c)(8),

“...the Board shall select a single claim from the group and shall decide the appeal as to the ground of rejection on the basis of that claim alone”?

2. If the answer is “yes,” the Appeal should be reinstated.

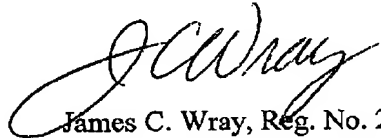
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3. If the answer is "no, subsection 7 does not mean what it states, even absent contrary statements in MPEP Chapter 1200," which would appear to be arbitrary, then a decision on the petition should so state with reasons and basis, so that a further administrative appeal may be taken.

Neither 1.192(d) nor MPEP Chapter 1200 appears to overrule what Rule 1.192(c)(7) states that the Board shall do.

Respectfully,



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